

## **LONG BEACH WATER DEPARTMENT**

### **L-1-1**

This comment introduces a letter from a Long Beach resident sent to the Long Beach Water Department (LBWD) expressing concerns about the proposed project. The letter and responses are included as Responses to Comments L-1-4 through L-1-6. This comment does not contain any substantive statements or questions about the Draft Environmental Impact Report (DEIR) and, no further response is necessary.

### **L-1-2**

This comment outlines consultation between the project applicant, Home Depot, and the LBWD. This comment also states specific concerns that LBWD had about the proposed project and requests made of the project applicant before and during the California Environmental Quality Act (CEQA) review process. According to LBWD, the project applicant and Home Depot did not provide a Final Hydraulic Study to LBWD for review prior to publication of DEIR 2005. The Final Hydraulic Study was provided to the LBWD in August 2005. In addition, the public services and utilities analysis in DEIR 2005 was revised and recirculated for public review on June 2, 2006 to reflect changes to the proposed sewer system, including replacement of the existing 8-inch sewer line in Vista Street with a 10-inch sewer line. Replacement of the existing 8-inch sewer line with a 10-inch sewer line would serve the proposed project and correct the hydraulic overloading conditions that currently exist during wet weather conditions. Refer to the Recirculated Draft EIR for additional information.

As stated in Chapter 2.0 of the Recirculated Draft EIR, "All gravity sewers in public streets or LBWD easements would be designed in accordance with LBWD standards. In addition, the project applicant will be required to provide hydraulic data to LBWD on the proposed project's facilities and operation before sewage discharge into the manhole at Vista and Daroca is allowed."

Although analysis in DEIR 2005 was based on a Draft Hydraulic Study, the Final Hydraulic Study was submitted to LBWD August 2005. The findings of the Final Hydraulic Study are consistent with the findings of the Draft Hydraulic Study and no significant impacts to the LBWD sewer system will result from project implementation. It should be noted that information and findings in the Final Hydraulic Study did not change the conclusions in DEIR 2005; there is no significant impact associated with the revised analysis and no new mitigation is required.

### **L-1-3**

The comment concludes the comment letter from LBWD and does not contain any substantive statements or questions about DEIR 2005 and, no further response is necessary.

### **L-1-4**

This comment is from Ms. Reyna Akers. The comment expresses concern that DEIR 2005 does not include a description of who will be responsible for the sewer facility prior to project completion and who will be responsible for potential impacts to sewer facilities. The sewer facility in Vista Street is a public sewer that is maintained by LBWD. LBWD will continue to maintain public sewers, before and after project implementation. As explained in Chapter 2.0 the Recirculated Draft EIR, the on-site sewer system will be constructed to the City of Long Beach Planning and Building Department

standards and maintained by Studebaker LB, LLC (the project applicant). All gravity sewers in public streets or LBWD easements would be designed in accordance with LBWD standards. The project applicant will bear the costs of all sewer improvements that will serve the proposed project, including replacement of the existing 8-inch sewer line in Vista Street with a 10-inch sewer line to handle anticipated flows, consistent with LBWD engineering requirements. Refer to the Recirculated Draft EIR for additional information.

**L-1-5**

This comment states an opinion that there is little information regarding sewage in DEIR 2005 and that none of the proposed plans include a new line so that residential sewers will not back up. The Project Description and Section 4.10 of DEIR 2005 were revised and recirculated for public review on June 2, 2006. Refer to the revised Project Description and Section 4.4 of the Recirculated Draft EIR for additional information regarding the proposed improvements to the public sewer system.

The Recirculated Draft EIR includes information regarding proposed improvements to the public sewer system, information regarding sewer generation rates, and capacity of sewer lines and sewer treatment plants. The information and analysis provided in the Recirculated Draft EIR are consistent with CEQA requirements to provide a thorough and complete analysis of the environmental consequences of the proposed project.

**L-1-6**

This comment is a copy of Appendix I of DEIR 2005. Although analysis in DEIR 2005 is based on a Draft Hydraulic Study, the Final Hydraulic Study was submitted to LBWD in August 2005. The findings of the Final Hydraulic Study are consistent with the findings of the Draft Hydraulic Study and no significant impacts to the LBWD sewer system will result from project implementation. Please refer to the Recirculated Draft EIR for additional information.

## **CITY OF SEAL BEACH**

### **L-2-1**

The comment is introductory and does not contain any substantive statements or questions about DEIR 2005 and, no further response is necessary.

### **L-2-2**

This comment requests that DEIR 2005 be revised to include the proposed Seaport Marina project in the cumulative impact analysis for the proposed Home Depot project. The State CEQA Guidelines Section 15130 (b)(1)(A) states that a Lead Agency must include a “list of past, present, and probably future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency.” At the time preparation of the Traffic Impact Analysis (TIA) and DEIR 2005 began, the City identified two approved/pending projects (cumulative) within the project area: (1) 120 Studebaker Road, and (2) the Boeing Specific Plan. At this time, the proposed Seaport Marina project was not considered to be a probable or reasonably foreseeable project given that: (1) no project application had been submitted to the City for that project; (2) the project requires a General Plan amendment; and (3) neither residential nor retail development is permitted on the project site.

By the time City made the decision to recirculate portions of DEIR 2005, an application had been submitted for the Seaport Marina project and the NOP for the proposed Seaport Marina project was issued on May 16, 2005. Therefore, despite the land use permits required for implementation, the City determined that it was reasonable to include cumulative analysis of potential traffic, air quality, and noise impacts of the proposed Seaport Marina and Home Depot projects. Analysis of cumulative impacts was limited to these three topics because the project and cumulative impacts associated with the Home Depot project can be mitigated to a less than significant level for all other topics (with the exception of cumulative solid waste disposal capacity in Los Angeles County).

The cumulative impact analysis conducted for the Draft EIR and Recirculated Draft EIR was conducted consistent with Section 15130 of the CEQA Guidelines and evaluated all projects that the City as Lead Agency deemed appropriate for consideration as cumulative projects. Guided by the standards of practicality and reasonableness, the City made determinations as to which projects were to be evaluated in the Draft EIR and Draft Recirculated Draft EIR. Please refer to Common Response 2 for a further discussion of the Seaport Marina project.

### **L-2-3**

This comment suggests that cumulative impacts of the proposed Home Depot and the proposed Seaport Marina projects may result in significant unavoidable impacts. Please refer to Response to Comment L-2-2 and Common Response 2.

The Seaport Marina project was correctly omitted from the analysis in the proposed Home Depot DEIR because the Seaport Marina project was not considered a foreseeable probable future project at the time the Home Depot DEIR was being prepared.

#### **L-2-4**

This comment states that the Seaport Marina project results in a significant change in circumstances and that project analysis will present new information that will be fundamental to the City's ability to evaluate the cumulative impacts of the proposed Home Depot project. Please refer to Responses to Comments L-2-2, L-2-3, and Common Response 2.

#### **L-2-5**

The comment states that the City of Seal Beach requested (via the NOP) that the traffic analysis include those intersections within the City of Seal Beach which are impacted in accordance with the County of Orange Growth Management standards. The study area for the proposed project was determined by City of Long Beach Transportation staff prior to the NOP. The project trip distribution percentages were determined by LSA Associates, Inc. (LSA) and approved by City of Long Beach staff prior to the analysis. The project trip distribution was determined based on the locations of other Home Depot stores adjacent to the City. Based on the Traffic Impact Analysis (TIA), approximately 5 percent of the project traffic will be destined to the City of Seal Beach via Westminster Avenue. Seal Beach is also served by the Home Depot store at 6633 Westminster Boulevard in the City of Westminster. Approximately 12 a.m. peak-hour and 21 p.m. peak-hour trips to the project site are destined to/from the City of Seal Beach via Westminster Avenue.

Per the County of Orange's (County) Growth Management Plan Transportation Implementation Manual—Appendix IV-1, measurable traffic is considered to be a 1 percent increase in the volume to capacity (v/c) of the sum of all critical movements. The adjacent major intersection in the City of Seal Beach, east of the project site, is the intersection of Seal Beach Boulevard and Westminster Avenue. Based on the Boeing TIA, this intersection is forecast to operate at a 1.112 intersection utilization capacity (ICU) (level of service [LOS] F) in the a.m. peak hour and a 1.226 ICU (LOS F) in the p.m. peak hour, during the cumulative (2006) plus project scenario. Applying the 1 percent criteria to this intersection, the intersection would have to operate at 1.123 ICU (LOS F) in the a.m. peak hour and 1.238 ICU (LOS F) in the p.m. peak hour. For intersections operating at this ICU, measurable traffic would be any increase in traffic which adds 19 or more a.m. peak-hour vehicles ( $[1.123 - 1.112] \times 1700$ ) or 20 or more p.m. peak-hour vehicles ( $[1.238 - 1.226] \times 1700$ ) to the critical movements at this intersection. As stated above, the proposed project will contribute approximately 12 a.m. peak-hour and 21 p.m. peak-hour trips to Westminster Avenue. At the intersection of Seal Beach Boulevard/Westminster Avenue, the project trips would not contribute more than 1 percent to the critical movements. Therefore, this is not a measurable amount of traffic to conduct additional intersection analyses in the City of Seal Beach.

The TIA included a cumulative (2006) horizon, with and without the proposed project, during the weekday and weekend periods. Prior to the preparation of the TIA, LSA contacted the City of Seal Beach Planning Department for a list of approved/pending projects. LSA incorporated this list into the cumulative (2006) scenario for the TIA. A cumulative impact analysis was provided for the intersections along Pacific Coast Highway, 2nd Street, 7th Street, and Studebaker Road. Intersections in the City of Seal Beach were not included in the cumulative analysis based on the limited amount of traffic destined toward Seal Beach and the limited effect of this traffic on City of Seal Beach intersections.

The TIA did not include the vehicular access to the College Park West neighborhood because project trips for the neighborhood were assessed at the intersection of State Route 22 (SR-22) westbound ramps at Studebaker Road. Through traffic destined to and from the Home Depot is not expected to use College Park West streets and therefore cut-through traffic is not expected to occur in this neighborhood.

The TIA did not include a roadway link analysis for roadway segments adjacent to the study area. As a result, the Marina Drive Bridge was not included in the TIA. Furthermore, the project does not contribute substantial traffic to that roadway link (i.e., 12 vehicles in the a.m. peak-hour and 21 vehicles in the p.m. peak-hour vehicles). Therefore, the reduced lane capacity at the bridge would not affect the operations at the bridge.

#### **L-2-6**

The comment questions the mitigation for potential impacts to the intersection of Studebaker Road and 2nd Street. The City Traffic Engineer has determined that the recommended improvements at the intersection of Studebaker Road/2nd Street are feasible. Right-of-way will be acquired to implement this mitigation measure. The Boeing project is only required to provide a right turn lane but this project will require the exiting westbound right-turn lane to be converted into a through lane. The recommended improvements are feasible and go beyond the Seal Beach requirements.

#### **L-2-7**

The comment questions whether improvements named in the Boeing Traffic Study were assumed to be completed in the project traffic analysis. The TIA included the ultimate improvements to the intersection of Pacific Coast Highway and 2nd Street in the cumulative condition. These improvements included the addition of a second southbound left-turn lane and an exclusive southbound right-turn lane. The City had identified these capital improvements prior to the preparation of the TIA. The Boeing Traffic Study provided mitigation measures to this intersection, which included these cumulative improvements, with the exception of an exclusive northbound right-turn lane. This additional improvement will not offset the Long Beach Home Depot's impact at this intersection. It was determined by the City that additional improvements to this intersection are infeasible due to right-of-way constraints. However, while there are no physical mitigations capable of reducing the impact significant at this intersection, alternative improvements are under development to reduce traffic at this intersection and Boeing is still obligated to pay its fair share contribution for these alternative improvements.

#### **L-2-8**

The comment requests that the City of Long Beach provide a "fair share" calculation for all identified project and cumulative impact mitigation. The cumulative condition analyzed in the TIA included two cumulative projects within the study area. The addition of the Seaport Marina project was not included in the TIA because, at the time of the NOP, an application for the Seaport Marina project was not considered a reasonably foreseeable project; therefore, this project was correctly omitted from DEIR 2005. However, at the direction of the City of Long Beach staff, cumulative traffic, air quality, and noise analysis of the Seaport Marina project was prepared. The Recirculated Draft EIR

contains analysis of cumulative traffic generated by the proposed Seaport Marina project. Please refer to the Recirculated Draft EIR and Common Response 2 for additional information.

The TIA (April 2005) included a fair-share calculation for the recommended improvements based on the traffic generated by the future baseline conditions and cumulative projects (not including Seaport Marina).

**L-2-9**

This comment states that the City of Seal Beach concurs with the evaluation and determinations regarding Biological Resources (e.g., wetland indicator species, wetland delineation analysis) in DEIR 2005. The comment does not contain any substantive statements or questions about DEIR 2005; therefore, no further response is necessary.

**L-2-10**

This comment states that archaeological monitoring should be required as project mitigation. As stated in DEIR 2005 on page 4.4-4 and 4.4.5, no evidence of prehistoric use of the project area was found during an intensive cultural resources survey that was conducted on the project site in February 2004. There is little potential for buried prehistoric resources since the project area was originally tidal marshland. In addition, no prehistoric resources have been previously recorded within 0.5 mile of the project area. It is unlikely that prehistoric or archeological resources would be found during grading and the proposed project will not result in a significant environmental impact related to cultural resources. Pursuant to State CEQA Guidelines Section 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

It should be noted that archaeological monitoring will be required for the 1.1-acre parcel that will be landscaped and converted to public open space as part of the project. The parcel, located at the corner of 7th Street and Silvera Avenue was not tidal marshland. The open space site is located in an area topographically higher in elevation than the Alamitos Bay tidal marshland on which the Home Depot is proposed. Whereas the proposed Home Depot area is unlikely to contain cultural resources, the open space area is very close to a number of previously recorded prehistoric sites and, as such, should be monitored for the presence of cultural resources. Since the presence of cultural resources cannot be ruled out, monitoring will be required. Please refer to Chapter 3.0 in the Recirculated Draft EIR for additional information.

**L-2-11**

This comment states that the discussion and evaluation regarding hazards and hazardous materials is adequate. The comment does not contain any substantive statements or questions about DEIR 2005 and, no further response is necessary.

**L-2-12**

This comment states that the requirement of a double-walled sewer line at the Loynes Street Bridge adequately addresses the concerns of the City of Seal Beach regarding water quality issues. The

comment does not contain any substantive statements or questions about DEIR 2005 and, no further response is necessary.

**L-2-13**

This comment contains a summary of the steps taken to respond to DEIR 2005. This comment also contains a conclusion to the comment letter. The comment does not contain any substantive statements or questions about DEIR 2005 and, no further response is necessary.

## **LONG BEACH DEPARTMENT OF ENGINEERING**

### **L-3-1**

The comment is introductory and does not contain any substantive statements or questions about DEIR 2005 and, no further response is necessary.

### **L-3-2**

This comment is an introduction to comments that follow. It states that previous comments were forwarded to Craig Chalfant and the Building and Planning Department and that they may not have been incorporated into DEIR 2005.

### **L-3-3**

This comment states that the Department of Planning and Building, rather than the Department of Public Works, is responsible for water-quality related approvals. The comment is noted; the mitigation measure will be corrected in Final EIR to indicate that the Department of Planning and Building is responsible for approvals.

### **L-3-4**

This comment requests that proof of the NOI filing and the SWPPP preparation should be submitted to the Planning and Building Department. Please note that Mitigation 4.7.2 requires proof of NOI filing to be submitted to the City Building Official and Mitigation Measure 4.7.1 requires submittal of the SWPPP to the City Building Official for review and approval.

### **L-3-5**

This comment states that there are specific SUSMP design requirements in Chapter 18.95 of the Municipal Code. The comment is noted; a summary of SUSMP requirements is listed in Section 4.7.2 of DEIR 2005 which refers to Chapter 18.95 of the Municipal Code.

### **L-3-6**

This comment refers to peak runoff rates in page 17 of the NPDES permit. Page 17 of the Long Beach NPDES Permit states that “peak runoff rates cannot exceed pre-development levels for developments where the potential for increased storm water discharge rates can result in an increase in downstream erosion.” As discussed in DEIR 2005, the project site would discharge to open channels with riprap lined banks and therefore, erosion would not occur. Mitigation Measure 4.7.6 requires preparation of a Hydrology Plan to be reviewed and approved by the Director of Public Works in order to ensure that the proposed drainage system will function as proposed.

### **L-3-7**

This comment includes an attachment, which includes a page from the City of Long Beach Municipal NPDES Permit and a page from the SUSMP. These requirements are to be enforced by the City for developments within their jurisdiction. Mitigation Measures 4.7.1 and 4.7.2 address the construction activity requirements as reflected in these pages and Mitigation Measure 4.7.4 requires compliance with the SUSMP. Therefore, the mitigation measures reflect and are consistent with these requirements.

## **CITY OF LONG BEACH, DEPARTMENT OF PUBLIC WORKS**

### **L-4-1**

The comment states that the information presented in DEIR 2005 pertaining to the City's NPDES/SUMP requirements is accurate. This comment does not contain any new substantive statements or questions about the DEIR 2005 and, no further response is necessary.

### **L-4-2**

The comment provides information regarding suggested changes to Mitigation Measure 4.7.4 The comment is noted; the mitigation measure will be corrected in Final EIR to indicate that the Department of Planning and Building is responsible for approvals.

## **COUNTY SANITATION DISTRICTS OF LOS ANGELES**

### **L-5-1**

This comment acknowledges review of DEIR 2005 and states that all information contained therein concerning County Sanitation District facilities is complete and accurate. This comment does not contain any new substantive statements or questions about the DEIR 2005 and, no further response is necessary. The City appreciates the information provided and assistance offered by the County Sanitation Districts of Los Angeles.

## **CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER**

### **L-6-1**

This comment states that the Los Angeles Department of Water and Power (LADWP) received and reviewed the Notice of Availability for DEIR 2005. The comment is introductory and does not contain any substantive statements or questions about DEIR 2005 and, no further response is necessary.

### **L-6-2**

This comment states that LADWP has no comments at this time. This comment does not contain any substantive statements or questions about DEIR 2005 and no further response is necessary.

## **COUNTY OF LOS ANGELES FIRE DEPARTMENT**

### **L-7-1**

The comment is introductory and does not contain any substantive statements or questions about DEIR 2005. No further response is necessary.

### **L-7-2**

This comment states that the project does not appear to have any impact on the emergency responsibilities of the County of Los Angeles Fire Department. This statement is consistent with the discussion in DEIR 2005 and no further response is necessary.

### **L-7-3**

This comment states that the Fire Prevention Division, Land Development Unit has no comments at this time. This comment does not contain any substantive statements or questions about DEIR 2005 and no further response is necessary.

### **L-7-4**

This comment states that the City of Long Beach Fire Department has jurisdiction concerning the project and that the project is unlikely to necessitate a comment from the County of Los Angeles Fire Department. This statement is consistent with the discussion in DEIR 2005. This comment does not contain any substantive statements or questions about DEIR 2005 and no further response is necessary.

### **L-7-5**

This comment concludes the comments from the Fire Prevention Division, Land Development Unit and does not contain any substantive statements or questions about DEIR 2005. No further response is necessary.

### **L-7-6**

This comment outlines the County of Los Angeles Fire Department, Forestry Department statutory responsibilities and states that the areas germane to the statutory responsibility have been addressed in DEIR 2005. This statement is consistent with the discussion in DEIR 2005 and not further response is necessary.

### **L-7-7**

This comment concludes the comment letter and does not contain any substantive statements or questions about DEIR 2005. No further response is necessary.